

NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rule-making information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

NOTICE OF PUBLIC INFORMATION

OFFICE OF THE GOVERNOR

[M09-19]

TO: State Agency Directors and Acting Directors
FROM: Janice K. Brewer
Governor
SUBJECT: Regulatory Review Plan
DATE: January 22, 2009

In order to ensure that my appointees have the opportunity to review any new or pending rules, I am asking that you immediately take the following steps, subject to the exception process as described in paragraph 9:

1. Send no proposed or final rule to the Secretary of State for the publication in the Arizona Administrative Register.
2. File no notice of proposed rule making with the Secretary of State or begin or continue any activities in preparation for the rule making, including informal rule making activities.
3. With respect to proposed rules that have been sent to the Secretary of State but not published in the Arizona Administrative Register, withdraw them from the Secretary of State.
4. With respect to proposed rules that are final but have not been submitted to the Governor's Regulatory Review Council (GRRC) for approval, postpone filing the rules with GRRC.
5. With respect to proposed rules that have been submitted to the GRRC for approval, postpone filing rules approved by GRRC with the Secretary of State.
6. With respect to proposed rules that are final but have not been submitted to the Attorney General for approval, postpone filing the rules with the Attorney General.
7. With respect to proposed rules that have been submitted to the Attorney General for approval, withdraw the rules from consideration by the Attorney General.
8. Provide the Governor's Office a list and brief summary of each rule making activity within your agency no later than February 16, 2009.
9. Notify the Governor's Office promptly in writing of any rule making activity that, in your view, impacts critical public peace, health and safety functions of the agency or that are needed to address the state budget deficit and therefore should be also excluded from the directives in paragraphs 1-7. The Governor's Office will review any such notifications and determine whether exception is appropriate under the circumstances.

The directives in paragraphs 1-7 shall remain in effect until April 30, 2009.

As used in this memorandum, "rule" has the meaning as defined in A.R.S. § 41-1001(17).

Finally, in the interest of sound regulatory practice and the avoidance of costly, burdensome, or unnecessary rules, independent agencies are encouraged to participate voluntarily within the context of their own rulemaking processes.

This regulatory review will be implemented by the Governor's Office. Communications regarding exceptions to the review, or questions regarding the review generally, should be addressed to Richard bark, Deputy Chief of Staff for Policy at rbark@az.gov.

This memorandum shall be published in the Arizona Administrative Register.

Notices of Public Information

NOTICE OF PUBLIC INFORMATION

ARIZONA STATE MINE INSPECTOR

[M09-46]

- 1. Name of the agency:** Arizona State Mine Inspector
- 2. Title and its heading:** 11, Mines
- Chapter and its heading:** 3, Aggregate Mine Land Reclamation
- Articles and headings:** 1, Definitions; 2, General Regulatory Provisions; 3, Exploration Operation Reclamation Plan; 4, Exploration Operation Reclamation Standards; 5, Aggregate Mining Unit Reclamation Plan; 6, Aggregate Mining Unit Reclamation Standards; 7, Revegetation and Soil Standards; 8, Financial Assurance
- Section numbers:** R11-3-101, R11-3-201 through R11-3-209, R11-3-301, R11-3-302, R11-3-401, R11-3-402, R11-3-501 through R11-3-504, R11-3-601 through R11-3-603, R11-3-701 through R11-3-706, R11-3-801 through R11-3-823
- 3. The public information relating to the listed Sections:**

This Notice of Public Information is in regards to a Notice of Proposed Rulemaking that was filed and published at 12 A.A.R. 742, March 10, 2006. The Secretary of State file number for this notice is R06-65.

We hereby withdraw this Notice under Governor Memorandum, Regulatory Review Plan, dated January 22, 2009, and published in the 15 A.A.R. 4, page 241 (M09-19).
- 4. The following public hearings have been canceled due to the withdrawal of the Notice specified in item 3:**

Not applicable
- 5. The name, address, and telephone number of agency personnel to whom questions and comment on the Notice of Public Information may be addressed to:**

Name: Laurie Swartzbaugh

Address: State Mine Inspector
1700 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 542-5971

Fax: (602) 542-5335

E-mail: lswartzbaugh@asmi.az.gov